

**No. 14-19-00154-CR**

In the  
Court of Appeals  
for the  
Fourteenth District of Texas  
at Houston

FILED IN  
14th COURT OF APPEALS  
HOUSTON, TEXAS  
8/21/2020 12:34:55 PM  
CHRISTOPHER A. PRINE  
Clerk

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**No. 1527611**

In the 208th District Court  
Harris County, Texas

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**THE STATE OF TEXAS**

*State*

V.

**JOHN WESLEY BALDWIN**

*Appellee*

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APPELLEE'S MOTION FOR EXTENSION OF TIME  
WITHIN WHICH TO FILE MOTION FOR AND  
EN BANC RECONSIDERATION

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TO THE HONORABLE COURT OF APPEALS:

APPELLEE, pursuant to **TEX. R. APP. P.** 10.1, 10.5(b) and 38.6(d), moves for an extension of time within which to file its motion for en banc reconsideration. In support of its motion, appellee submits the following:

1. Appellee is charged with capital murder. Appellee filed a motion to suppress. The motion was granted and the court signed the order on January 11, 2019.
2. Notice of appeal was filed on January 31, 2019.
3. A majority of this Court issued an opinion reversing the trial court's motion to suppress on August 6, 2020.
4. A motion for en banc reconsideration is due on August 21, 2020.
5. Appellee seeks an extension to file his motion for en banc reconsideration until September 21, 2020.
6. The following facts are relied upon to show good cause for the requested extension:
  - a. Counsel and has been investigating and drafting a writ of habeas corpus pursuant to article 11.071 of the Texas Code of Criminal Procedure in the capital case of *State v. Jason Delacerda*, Cause Number 21284 (Hardin County).
  - b. Counsel was completing the brief in *Ernest Hall v. State*, No 01-20-00240-CR.
7. Appellee's motion is not for purposes of delay, but so that justice may be done.

WHEREFORE, appellee prays that this Court will grant the requested extension.

Respectfully submitted,

**/s/MANDY MILLER**

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**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing instrument has been delivered via electronic mail to the following address:

Harris County District Attorney's Office  
ATTN: Cory Stott  
stott\_cory@dao.hctx.net

**/s/MANDY MILLER**

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Associated Case Party: Harris County District Attorney's Office

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